

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SAVINO DEL BENE U.S.A., INC. and SAVINO
DEL BENE S.P.A.,

Plaintiffs,

v.

Case No.: 1:21-cv-7205-LAP

MEDITERRANEAN SHIPPING COMPANY
(USA) INC. and MSC MEDITERRANEAN
SHIPPING COMPANY S.A.

Defendants.

MOTION FOR DEFAULT

Plaintiffs, SAVINO DEL BENE U.S.A., INC. and SAVINO DEL BENE S.P.A. (hereinafter collectively “SDB” and/or “Plaintiffs”), by and through the undersigned counsel, hereby move for entry of a default by the clerk against Defendant, MEDITERRANEAN SHIPPING COMPANY (USA) INC. (hereinafter “MSC”), and states in support thereof as follows:

1. SDB caused MSC to be duly served with the Summons and Complaint in this matter on November 12, 2021 [D.E. 10].
2. MSC has failed to respond to or answer the Complaint through counsel or otherwise as required by law.
3. Accordingly, SDB respectfully submits that it is entitled to the entry of a Clerk’s default against MSC pursuant to Federal Rule of Civil Procedure 55(a).

WHEREFORE, Plaintiffs respectfully request the Clerk of this Court to enter a default against MEDITERRANEAN SHIPPING COMPANY (USA) INC., and for such other and further relief as the Court may deem proper and just.

Date: December 14, 2021

Respectfully Submitted,

SPECTOR RUBIN, PA

By: /s/ Andrew Spector
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*Attorneys for Plaintiffs, Savino Del Bene
U.S.A., Inc. and Savino Del Bene S.p.A.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed on December 14, 2021, *via the Court's CM/ECF system*, which shall notify all parties of record.

SPECTOR RUBIN, P.A.

By: /s/ Andrew R. Spector
Andrew R. Spector, Esq.
(New York Bar No.: AS-3887)

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_____ /

ORDER OF DEFAULT

A Default is entered in this action by the Court against Defendant, MEDITERRANEAN SHIPPING COMPANY (USA) INC., as named in the foregoing Motion for failure to serve or file any paper as required by law.

DONE AND ORDERED in Chambers this 15 day of December 2021.



LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

cc: All Counsel of Record